

EXHIBIT 253

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

STATE OF TEXAS, et al.,

Plaintiffs,

Civil Action No.
4:20-cv-00957-SDJ

v.

GOOGLE LLC,

Defendant.

* * * * *

TRANSCRIPT OF THE VIDEOTAPED 30(B)(6) DEPOSITION:

STATE OF LOUISIANA

By and through:

PATRICK MICHAEL VOELKER

Friday, May 3, 2024

9:22 a.m. (CST)

Reported by:

YOLANDA J. PENA, Certified
Court Reporter No. 2017002
in and for the State of
Louisiana

Job No. CS6670337

A P P E A R A N C E S

FOR THE PLAINTIFF STATES TEXAS, IDAHO, INDIANA,
MISSISSIPPI, NORTH DAKOTA, SOUTH CAROLINA,
SOUTH DAKOTA, AND LOUISIANA:

THE LANIER LAW FIRM

(BY: RYAN D. ELLIS, ESQ.)

(BY: ALEX HENTHORN, ESQ.) [VIA ZOOM]

10940 WEST SAM HOUSTON PKWY. NORTH, SUITE 100

HOUSTON, TEXAS 77064

(713) 659-5200

ryan.ellis@lanierlawfirm.com

FOR THE PLAINTIFF STATE OF LOUISIANA:

THE DUGAN LAW FIRM

(BY: DAVID SCALIA, ESQ.)

365 CANAL STREET, SUITE 100

NEW ORLEANS, LOUISIANA 70130

(504) 648-0180

dscaliala@dugan-lawfirm.com

- AND -

LOUISIANA OFFICE OF THE ATTORNEY GENERAL

(BY: WILLIAM ROGERS, ESQ.)

1885 N. THIRD STREET, 3RD FLOOR

BATON ROUGE, LOUISIANA 70802

(225) 326-6705

rogersw@ag.louisiana.gov

FOR THE DEFENDANT GOOGLE LLC:

FRESHFIELDS BRUCKHAUS DERINGER

(BY: JEANNETTE BAYOUMI, ESQ.)

(BY: GAYLE R. KLEIN, ESQ.)

(BY: GABRIELLE SMALL, ESQ.) [VIA ZOOM]

3 WORLD TRADE CENTER

175 GREENWICH STREET

NEW YORK, NEW YORK 10007

(212) 230-4645

jeannette.beyoumi@freshfields.com

gayle.klein@freshfields.com

gabrielle.small@freshfields.com

A P P E A R A N C E S (Continued)

ALSO PRESENT:

ALBERT BONGARD, VIDEOGRAPHER

1 don't mind?

2 BY MS. BAYOUMI:

3 Q. Sure. The complaints that were produced by
4 the State of Louisiana mention Google advertising, but
5 they don't raise issues in this lawsuit, correct?

6 MR. ELLIS: Objection; form.

7 A. I think the issues that Louisiana has raised
8 is that its consumers, its economy at large has been
9 harmed. So to the extent that those complaints were
10 filed, you know, on behalf of citizens of Louisiana, I
11 would say the answer to that question is sure. Yeah,
12 the claims do fit what they might have been alleging.

13 BY MS. BAYOUMI:

14 Q. So I -- I believe you testified earlier,
15 though, that you received consumer complaints regarding
16 advertising but not that they related to the
17 advertising technology at issue in this case; is that
18 right?

19 MR. ELLIS: Objection; form.

20 A. I believe I said that they may not relate to.

21 BY MS. BAYOUMI:

22 Q. And you testified that you're unaware of
23 whether these consumer complaints would be on point
24 with the issues in the complaint; is that right?

25 A. Yeah, I'm not entirely sure as we sit here

1 today. I think that calls for a bit of legal
2 speculation. But, you know, we got the complaints on
3 behalf of the consumers and produced them, so.

4 Q. Okay. For its federal antitrust claim, is
5 Louisiana proceeding as parens patriae?

6 A. It is in some capacity and in others, in its
7 sovereign capacity.

8 Q. And in proceeding as parens patriae, on whose
9 behalf is the State of Louisiana proceeding?

10 A. Sure, the parens capacity is a constitutional
11 grant of authority by which the attorney general, as
12 the chief legal officer of the State of Louisiana, is
13 empowered to bring -- excuse me, bring and vindicate
14 claims on behalf of Louisiana citizens.

15 Q. So on whose behalf?

16 A. Would be the citizens of Louisiana. And I
17 think if a particular answer is needed, publishers and
18 advertisers along with the citizens at large.

19 Q. And have any of these groups complained to
20 Louisiana about Google's ad tech/display advertising
21 business?

22 MR. ELLIS: Objection; form.

23 A. I think the investigation that Texas conducted
24 revealed a series of conduct on the part of Google
25 that, you know, is a national harm. And to the extent

1 that that is -- you know, that that harm applies to
2 Texas, it applies just as equally to the citizens of
3 Louisiana.

4 BY MS. BAYOUMI:

5 Q. How so?

6 A. Because the harm, you know, that was
7 determined through the investigation was determined to
8 be anticompetitive and affect negatively the citizens
9 of this nation at whole, and therefore, it applies to
10 Louisiana, as well, the harm.

11 Q. Did Louisiana do any investigation into --
12 into the alleged harm specific to Louisiana?

13 A. Louisiana was not part of the multistate
14 investigation. It was made aware of the results of
15 that investigation and the harm that, you know,
16 pervaded throughout the nation on behalf of its
17 citizens. But if Louisiana did any investigation of
18 its own -- it did not -- it was in reference to the
19 investigation that was done by the multistate.

20 Q. So your testimony is that Louisiana didn't do
21 any investigation of its own into the alleged conduct
22 at issue in the complaint; is that right?

23 MR. ELLIS: Objection; form.

24 A. Louisiana was made aware of the investigation
25 conducted by the multistate that revealed harm that was

1 applicable to the citizens of Louisiana.

2 BY MS. BAYOUMI:

3 Q. Does Louisiana have any independent factual
4 basis for the allegations it makes in the fourth
5 amended complaint?

6 A. Louisiana has the harm that was endowed upon
7 its citizens as -- you know, that was a result of the
8 investigation that ensued, the witnesses that were
9 interviewed, the documents gathered. Louisiana will
10 have forthcoming expert reports that will perhaps more
11 specifically quantify that. But yeah, as a result of
12 that investigation, Louisiana has evidence of harm.

13 Q. And when you refer to "citizens," are you
14 referring to individuals or businesses as well?

15 A. Could be either.

16 Q. And has Louisiana investigated what specific
17 harm was made to individuals or businesses at issue in
18 the complaint?

19 MR. ELLIS: Objection; form.

20 A. I think some of that, you know, quantification
21 of the harm will be forthcoming from Louisiana's
22 experts, but I guess as I sit here today, to wit, no.

23 BY MS. BAYOUMI:

24 Q. And you said one of your job duties was to
25 issue civil investigative demands.

REPORTER'S PAGE

I, YOLANDA J. PENA, Certified Court Reporter in and for the State of Louisiana, (CCR #2017002), Registered Professional Reporter (RPR #970346), the officer, as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434(B) of the Louisiana Code of Civil Procedure, do hereby state on the record:

That due to the interaction in the spontaneous discourse of the proceeding, double dashes (--) have been used to indicate pauses, changes in thought, and/or talkovers; that same is the proper method for a transcription of proceedings, and that the double dashes (--) do not indicate that words or phrases have been left out of this transcript;

That any spelling of words and/or names which could not be verified through reference material have been denoted with the parenthetical "(phonetic)";

That the parenthetical "(sic)" is used to denote when a witness stated a word or phrase that appears odd or erroneous to show that it was quoted exactly as it stands.

A handwritten signature in blue ink, appearing to read 'Yolanda J. Pena', is written over the printed name.

YOLANDA PENA, CCR, RPR

REPORTER'S CERTIFICATE

I, YOLANDA J. PENA, Certified Court Reporter in and for the State of Louisiana, Registered Professional Reporter, and as the officer before whom this testimony was taken, do hereby certify that PATRICK MICHAEL VOELKER, after having been duly sworn by me upon authority of R.S. 37:2554, did testify as set forth in the foregoing 138 pages.

I further certify that said testimony was reported by me in the Stenotype reporting method, was prepared and transcribed by me or under my direction and supervision, and is a true and correct transcript to the best of my ability and understanding.

I further certify that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board and that I have been informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services.

I further certify that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434, and in rules and advisory opinions of the board.

I further certify that I am not an attorney or counsel for any of the parties, that I am neither related to nor employed by any attorney or counsel connected with this action, and that I have no financial interest in the outcome of this matter.

This certificate is valid only for this transcript, accompanied by my digital signature or original signature and original raised seal on this page.

Prairieville, Louisiana, this 6th day of May, 2024.



YOLANDA J. PENA, CCR, RPR
CCR NO. 2017002, RPR NO. 907346

Page 141

1 The State Of Texas, Et Al. v. Google LLC

2 Patrick Voelker (#6670337)

3 E R R A T A S H E E T

4 PAGE _____ LINE _____ CHANGE _____

5
6 REASON _____

7 PAGE _____ LINE _____ CHANGE _____

8
9 REASON _____

10 PAGE _____ LINE _____ CHANGE _____

11
12 REASON _____

13 PAGE _____ LINE _____ CHANGE _____

14
15 REASON _____

16 PAGE _____ LINE _____ CHANGE _____

17
18 REASON _____

19 PAGE _____ LINE _____ CHANGE _____

20
21 REASON _____

22
23 

24 Patrick Voelker

May 29, 2024

25 Date

1 The State Of Texas, Et Al. v. Google LLC
2 Patrick Voelker (#6670337)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Patrick Voelker, do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10
11 Patrick Voelker

12 Patrick Voelker

May 29, 2024

13 Date

14 *If notary is required

15 SUBSCRIBED AND SWORN TO BEFORE ME THIS

16 29th DAY OF May, 2024.

17
18 Mary S. Adams #40703

19 NOTARY PUBLIC
20
21
22
23
24
25